

House File 348 - Introduced

HOUSE FILE 348

BY SHIPLEY

A BILL FOR

1 An Act relating to education by modifying the duties and
2 authority of certain state and local governmental entities
3 and including effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

REPEAL OF DEPARTMENT OF EDUCATION AND
STATE BOARD OF EDUCATION

Section 1. NEW SECTION. **256B.16 Transfer of authority and duties.**

1. Beginning July 1, 2020, the authority and duties of the department of education, the division of special education created under section 256B.1, the state board of education, and the director of the department of education under this chapter shall to the extent feasible be transferred to the appropriate area education agency where such special education services are being provided. Accordingly, beginning July 1, 2020, all references to the department of education or the division of special education under this chapter and references to the department of education or the division of special education under other provisions of law relating to this chapter shall mean the applicable area education agency and all references to the state board of education or the director of the department of education under this chapter or other provisions of law relating to this chapter shall mean the board of directors of the area education agency and the administrator of the area education agency respectively.

2. Any moneys remaining in any account or fund under the control of the department of education at the conclusion of the fiscal year beginning July 1, 2019, relative to the provisions of this chapter shall be transferred to the control of the department of human services for such purposes. Notwithstanding section 8.33, the moneys transferred in accordance with this subsection shall not revert to the account or fund from which appropriated or transferred.

3. Any contract entered into by the department of education relating to the provisions of this chapter in effect at the conclusion of the fiscal year beginning July 1, 2019, shall continue in full force and effect pending transfer of such contracts to the area education agencies.

1 4. Any rule, regulation, form, order, or directive
2 promulgated by the department of education relative to the
3 provisions of this chapter in existence at the conclusion of
4 the fiscal year beginning July 1, 2019, shall continue in full
5 force and effect.

6 5. In regard to updating references and format in the Iowa
7 administrative code in order to correspond to the transferring
8 of duties of this chapter, the administrative rules coordinator
9 and the administrative rules review committee, in consultation
10 with the administrative code editor, shall jointly develop a
11 schedule for the necessary updating of the Iowa administrative
12 code.

13 Sec. 2. Section 256C.1, Code 2019, is amended to read as
14 follows:

15 **256C.1 Definitions.**

16 As used in [this chapter](#):

17 1. *"Approved local program"* means a school district's
18 program for four-year-old children ~~approved by the department~~
19 ~~of education to provide high quality preschool instruction.~~

20 2. ~~"Department" means the department of education.~~

21 3. ~~"Director" means the director of the department of~~
22 ~~education.~~

23 4. 2. *"Preschool program"* means the statewide preschool
24 program for four-year-old children created in accordance with
25 this chapter.

26 5. 3. *"School district approved to participate in the*
27 *preschool program"* means a school district that meets the
28 school district requirements under [section 256C.3](#) ~~and has been~~
29 ~~approved by the department to participate in the preschool~~
30 ~~program.~~

31 6. ~~"State board" means the state board of education.~~

32 Sec. 3. Section 256C.2, subsection 2, Code 2019, is amended
33 by striking the subsection.

34 Sec. 4. Section 256C.3, subsection 2, paragraph a,
35 subparagraph (3), Code 2019, is amended to read as follows:

1 (3) The individual possesses a bachelor's or graduate
2 degree from an accredited college or university with a major
3 in early childhood education or other appropriate major
4 ~~identified in rule by the department~~ as determined by the
5 school district's board of directors.

6 Sec. 5. Section 256C.3, subsection 3, unnumbered paragraph
7 1, Code 2019, is amended to read as follows:

8 ~~The state board shall adopt rules to further define the~~
9 ~~following preschool program requirements which shall be used to~~
10 ~~determine whether or not a~~ Each local program implemented by
11 a school district approved to implement the preschool program
12 ~~qualifies as an approved local program~~ shall address or conform
13 with all of the following:

14 Sec. 6. Section 256C.3, subsection 3, paragraph e, Code
15 2019, is amended to read as follows:

16 e. Collaboration with participating families, early care
17 providers, and community partners including but not limited to
18 early childhood Iowa area boards, head start programs, shared
19 ~~visions and other programs provided under the auspices of the~~
20 ~~child development coordinating council~~, licensed child care
21 centers, registered child development homes, area education
22 agencies, child care resource and referral services provided
23 under [section 237A.26](#), early childhood special education
24 programs, services funded by Tit. I of the federal Elementary
25 and Secondary Education Act of 1965, and family support
26 programs.

27 Sec. 7. Section 256C.3, subsection 4, Code 2019, is amended
28 by striking the subsection and inserting in lieu thereof the
29 following:

30 4. *School district requirements.*

31 a. Subject to implementation of chapter 28E agreements
32 between a school district and community-based providers of
33 services to four-year-old children, a four-year-old child who
34 is enrolled in a child care center or child development home
35 licensed or registered under chapter 237A, or in an existing

1 public or private preschool program, shall be eligible for
2 services provided by the school district's local preschool
3 program.

4 *b.* Professional development for school district preschool
5 teachers shall be addressed in the school district's
6 professional development plan implemented in accordance with
7 section 284.6.

8 Sec. 8. Section 256C.3, subsection 5, Code 2019, is amended
9 by striking the subsection.

10 Sec. 9. Section 256C.4, subsection 1, paragraph d, Code
11 2019, is amended to read as follows:

12 *d.* Preschool foundation aid funding shall not be commingled
13 with the other state aid payments made under [section 257.16](#)
14 to a school district and shall be accounted for by the local
15 school district separately from the other state aid payments.
16 Preschool foundation aid payments made to school districts
17 are miscellaneous income for purposes of [chapter 257](#). A
18 school district shall maintain a separate listing within its
19 budget for preschool foundation aid payments received and
20 expenditures made. ~~A school district shall certify to the~~
21 ~~department of education that preschool~~ Preschool foundation aid
22 funding received by the school district ~~was~~ shall be used to
23 supplement, not supplant, moneys otherwise received and used by
24 the school district for preschool programming.

25 Sec. 10. Section 256C.4, subsection 2, paragraph b, Code
26 2019, is amended to read as follows:

27 *b.* The enrollment count of eligible students shall not
28 include a child who is included in the enrollment count
29 determined under [section 257.6](#) or a child who is served by
30 a program already receiving state or federal funds for the
31 purpose of the provision of four-year-old preschool programming
32 while the child is being served by the program. Such preschool
33 programming includes but is not limited to ~~child development~~
34 ~~assistance programs provided under~~ [chapter 256A](#), special
35 education programs provided under [section 256B.9](#), school ready

1 children grant programs and other programs provided under
2 chapter 256I, and federal head start programs and the services
3 funded by Tit. I of the federal Elementary and Secondary
4 Education Act of 1965.

5 Sec. 11. Section 256C.5, subsection 2, Code 2019, is amended
6 to read as follows:

7 2. *Preschool foundation aid district amount.*

8 a. For the initial school year for which a school district
9 approved to participate in the preschool program ~~receives that~~
10 ~~approval and~~ implements the preschool program, the funding for
11 the preschool foundation aid payable to that school district
12 shall be paid from the appropriation made for that school year
13 in [section 256C.6](#), Code 2011, or in another appropriation
14 made for purposes of [this chapter](#). For that school year, the
15 preschool foundation aid payable to the school district is
16 the product of the regular program state cost per pupil for
17 the school year multiplied by sixty percent of the school
18 district's eligible student enrollment on the date in the
19 school year ~~determined by rule~~.

20 b. For budget years subsequent to the initial school year
21 for which a school district approved to participate in the
22 preschool program ~~receives that initial approval and~~ implements
23 the preschool program, the funding for the preschool foundation
24 aid payable to that school district shall be paid from the
25 appropriation made in [section 257.16](#). ~~Continuation of a~~
26 ~~school district's participation in the preschool program for~~
27 ~~a second or subsequent budget year is subject to the approval~~
28 ~~of the department based upon the school district's compliance~~
29 ~~with accountability provisions and the department's on-site~~
30 ~~review of the school district's implementation of the preschool~~
31 ~~program.~~

32 Sec. 12. Section 256C.5, subsection 4, Code 2019, is amended
33 by striking the subsection.

34 Sec. 13. NEW SECTION. 256F.12 Transfer of authority and
35 duties.

1 1. Beginning July 1, 2020, the authority and duties of the
2 department of education, the state board, and the director of
3 the department of education under this chapter, to the extent
4 feasible, shall be transferred to the board of directors of
5 the community college serving the merged area in which the
6 charter school or innovation zone school, or such proposed
7 school, is located. Accordingly, beginning July 1, 2020, all
8 references to the department of education, the state board of
9 education, and the director of the department of education
10 under this chapter or other provisions of law relating to this
11 chapter shall mean the board of directors of the community
12 college serving the merged area in which the charter school or
13 innovation zone school, or such proposed school, is located.

14 2. Any contract entered into by the department of education
15 relating to the provisions of this chapter in effect at the
16 conclusion of the fiscal year beginning July 1, 2019, shall
17 continue in full force and effect pending transfer of such
18 contracts to the appropriate community college board of
19 directors.

20 3. Any rule, regulation, form, order, or directive
21 promulgated by the department of education relative to the
22 provisions of this chapter in existence at the conclusion of
23 the fiscal year beginning July 1, 2019, shall continue in full
24 force and effect.

25 Sec. 14. NEW SECTION. **256H.4 Transfer of authority and**
26 **duties.**

27 1. Beginning July 1, 2020, the authority and duties of the
28 department of education and the director of the department
29 of education under this chapter shall be transferred to the
30 adjutant general of the state. Accordingly, beginning July 1,
31 2020, all references to the department of education and the
32 director of the department of education under this chapter or
33 other provisions of law relating to this chapter shall mean
34 adjutant general of the state.

35 2. Any contract entered into by the department of education

1 relating to the provisions of this chapter in effect at the
2 conclusion of the fiscal year beginning July 1, 2019, shall
3 continue in full force and effect pending transfer of such
4 contracts to the adjutant general of the state.

5 3. Any rule, regulation, form, order, or directive
6 promulgated by the department of education relative to the
7 provisions of this chapter in existence upon conclusion of the
8 fiscal year beginning July 1, 2019, shall continue in full
9 force and effect.

10 Sec. 15. NEW SECTION. 256I.14 **Transfer of authority and**
11 **duties.**

12 1. Beginning July 1, 2020, the authority and duties of the
13 department of education and the director of the department
14 of education under this chapter shall be transferred to the
15 department of management and the director of the department
16 of management. Accordingly, beginning July 1, 2020, all
17 references to the department of education or the director of
18 the department of education under this chapter or under other
19 provisions of law relating to this chapter shall mean the
20 department of management and the director of the department of
21 management.

22 2. Any moneys remaining in any account or fund under the
23 control of the department of education at the conclusion of the
24 fiscal year beginning July 1, 2019, relative to the provisions
25 of this chapter shall be transferred to the control of the
26 department of management for such purposes. Notwithstanding
27 section 8.33, the moneys transferred in accordance with this
28 subsection shall not revert to the account or fund from which
29 appropriated or transferred.

30 3. Any contract entered into by the department of education
31 relating to the provisions of this chapter in effect at the
32 conclusion of the fiscal year beginning July 1, 2019, shall
33 continue in full force and effect pending transfer of such
34 contracts to the department of management.

35 4. Any rule, regulation, form, order, or directive

1 promulgated by the department of education relative to the
 2 provisions of this chapter in existence at the conclusion of
 3 the fiscal year beginning July 1, 2019, shall continue in full
 4 force and effect until amended, repealed, or supplemented by
 5 affirmative action of the department of management under the
 6 duties and powers established in this chapter and under the
 7 procedure established in subsection 5.

8 5. In regard to updating references and format in the Iowa
 9 administrative code in order to correspond to the transferring
 10 of duties of this chapter, the administrative rules coordinator
 11 and the administrative rules review committee, in consultation
 12 with the administrative code editor, shall jointly develop a
 13 schedule for the necessary updating of the Iowa administrative
 14 code.

15 Sec. 16. NEW SECTION. **257.1A Transfer of authority and**
 16 **duties.**

17 1. Beginning July 1, 2020, the authority and duties of
 18 the department of education, the state board of education,
 19 and the director of the department of education under this
 20 chapter shall be transferred to the department of management
 21 and the director of the department of management. Accordingly,
 22 beginning July 1, 2020, all references to the department of
 23 education under this chapter and references to the department
 24 of education under other provisions of law relating to this
 25 chapter shall mean the department of management and all
 26 references to the state board of education or the director
 27 of the department of education under this chapter or other
 28 provisions of law relating to this chapter shall mean the
 29 director of the department of management.

30 2. Any moneys remaining in any account or fund under the
 31 control of the department of education at the conclusion of the
 32 fiscal year beginning July 1, 2019, relative to the provisions
 33 of this chapter shall be transferred to the control of the
 34 department of management for such purposes. Notwithstanding
 35 section 8.33, the moneys transferred in accordance with this

1 subsection shall not revert to the account or fund from which
2 appropriated or transferred.

3 3. Any contract entered into by the department of education
4 relating to the provisions of this chapter in effect at the
5 conclusion of the fiscal year beginning July 1, 2019, shall
6 continue in full force and effect pending transfer of such
7 contracts to the department of management.

8 4. Any rule, regulation, form, order, or directive
9 promulgated by the department of education relative to the
10 provisions of this chapter in existence at the conclusion of
11 the fiscal year beginning July 1, 2019, shall continue in full
12 force and effect until amended, repealed, or supplemented by
13 affirmative action of the department of management under the
14 duties and powers established in this chapter and under the
15 procedure established in subsection 5.

16 5. In regard to updating references and format in the Iowa
17 administrative code in order to correspond to the transferring
18 of duties of this chapter, the administrative rules coordinator
19 and the administrative rules review committee, in consultation
20 with the administrative code editor, shall jointly develop a
21 schedule for the necessary updating of the Iowa administrative
22 code.

23 Sec. 17. Section 257C.5, subsection 1, Code 2019, is amended
24 to read as follows:

25 1. The powers of the authority are vested in and exercised
26 by a board consisting of five members, including the treasurer
27 of state, ~~the director of the department of education,~~ and the
28 director of the department of management, and ~~two~~ three members
29 appointed by the governor, subject to confirmation by the
30 senate. The state officials may designate representatives to
31 serve on the board for them. As far as possible, the governor
32 shall appoint members who are knowledgeable or experienced in
33 the school systems of this state or in finance.

34 Sec. 18. NEW SECTION. 258.18 **Transfer of authority and**
35 **duties.**

1 1. Beginning July 1, 2020, the authority and duties of the
2 department of education, the state board of education, and the
3 director of the department of education under this chapter
4 shall be transferred to the department of workforce development
5 and the director of the department of workforce development.
6 Accordingly, beginning July 1, 2020, all references to the
7 department of education under this chapter and references
8 to the department of education under other provisions of
9 law relating to this chapter shall mean the department of
10 workforce development and all references to the state board
11 of education or the director of the department of education
12 under this chapter or other provisions of law relating to this
13 chapter shall mean the director of the department of workforce
14 development.

15 2. Any moneys remaining in any account or fund under the
16 control of the department of education at the conclusion
17 of the fiscal year beginning July 1, 2019, relative to the
18 provisions of this chapter shall be transferred to the control
19 of the department of workforce development for such purposes.
20 Notwithstanding section 8.33, the moneys transferred in
21 accordance with this subsection shall not revert to the account
22 or fund from which appropriated or transferred.

23 3. Any contract entered into by the department of education
24 relating to the provisions of this chapter in effect at the
25 conclusion of the fiscal year beginning July 1, 2019, shall
26 continue in full force and effect pending transfer of such
27 contracts to the department of workforce development.

28 4. Any rule, regulation, form, order, or directive
29 promulgated by the department of education relative to the
30 provisions of this chapter in existence at the conclusion of
31 the fiscal year beginning July 1, 2019, shall continue in full
32 force and effect until amended, repealed, or supplemented by
33 affirmative action of the department of workforce development
34 under the duties and powers established in this chapter and
35 under the procedure established in subsection 5.

1 5. In regard to updating references and format in the Iowa
2 administrative code in order to correspond to the transferring
3 of duties of this chapter, the administrative rules coordinator
4 and the administrative rules review committee, in consultation
5 with the administrative code editor, shall jointly develop a
6 schedule for the necessary updating of the Iowa administrative
7 code.

8 Sec. 19. NEW SECTION. **259.1A Transfer of authority and**
9 **duties.**

10 1. Beginning July 1, 2020, the authority and duties of the
11 department of education, the state board of education, and the
12 director of the department of education under this chapter
13 shall be transferred to the department of workforce development
14 and the director of the department of workforce development.
15 Accordingly, beginning July 1, 2020, all references to the
16 department of education under this chapter and references
17 to the department of education under other provisions of
18 law relating to this chapter shall mean the department of
19 workforce development and all references to the state board
20 of education or the director of the department of education
21 under this chapter or other provisions of law relating to this
22 chapter shall mean the director of the department of workforce
23 development.

24 2. Beginning July 1, 2020, the division of vocational
25 rehabilitation services created within the department of
26 education under section 259.3 shall be transferred to the
27 department of workforce development.

28 3. Any moneys remaining in any account or fund under the
29 control of the department of education at the conclusion
30 of the fiscal year beginning July 1, 2019, relative to the
31 provisions of this chapter shall be transferred to the control
32 of the department of workforce development for such purposes.
33 Notwithstanding section 8.33, the moneys transferred in
34 accordance with this subsection shall not revert to the account
35 or fund from which appropriated or transferred.

1 4. Any contract entered into by the department of education
2 relating to the provisions of this chapter in effect at the
3 conclusion of the fiscal year beginning July 1, 2019, shall
4 continue in full force and effect pending transfer of such
5 contracts to the department of workforce development.

6 5. Any rule, regulation, form, order, or directive
7 promulgated by the department of education relative to the
8 provisions of this chapter in existence at the conclusion of
9 the fiscal year beginning July 1, 2019, shall continue in full
10 force and effect until amended, repealed, or supplemented by
11 affirmative action of the department of workforce development
12 under the duties and powers established in this chapter and
13 under the procedure established in subsection 6.

14 6. In regard to updating references and format in the Iowa
15 administrative code in order to correspond to the transferring
16 of duties of this chapter, the administrative rules coordinator
17 and the administrative rules review committee, in consultation
18 with the administrative code editor, shall jointly develop a
19 schedule for the necessary updating of the Iowa administrative
20 code.

21 Sec. 20. NEW SECTION. **260C.1A Transfer of authority and**
22 **duties.**

23 1. Beginning July 1, 2020, the authority and duties of the
24 department of education, the state board of education, and the
25 director of the department of education under this chapter
26 shall, to the extent feasible, be transferred to the boards of
27 directors of the community colleges serving the merged areas of
28 the state. Accordingly, beginning July 1, 2020, all references
29 to the department of education, the state board of education,
30 and the director of the department of education under this
31 chapter and references to the department of education, the
32 state board of education, and the director of the department
33 of education under other provisions of law relating to this
34 chapter shall mean the applicable board of directors of a
35 community college.

1 2. Beginning July 1, 2020, transfer of the duties and
2 authority of the department shall also include all duties and
3 authority of the community colleges division created within the
4 department of education under section 260C.6.

5 3. Any moneys remaining in any account or fund under the
6 control of the department of education at the conclusion of the
7 fiscal year beginning July 1, 2019, relative to the provisions
8 of this chapter shall be transferred to the control of the
9 applicable board of directors of a community college for such
10 purposes. Notwithstanding section 8.33, the moneys transferred
11 in accordance with this subsection shall not revert to the
12 account or fund from which appropriated or transferred.

13 4. Any contract entered into by the department of education
14 relating to the provisions of this chapter in effect at the
15 conclusion of the fiscal year beginning July 1, 2019, shall
16 continue in full force and effect pending transfer of such
17 contracts to the boards of directors of the community colleges.

18 5. Any rule, regulation, form, order, or directive
19 promulgated by the department of education relative to the
20 provisions of this chapter in existence at the conclusion of
21 the fiscal year beginning July 1, 2019, shall continue in full
22 force and effect.

23 Sec. 21. Section 260E.7, subsection 1, Code 2019, is amended
24 to read as follows:

25 1. The economic development authority, in consultation with
26 the ~~department of education~~, the department of revenue, and
27 the department of workforce development, shall coordinate and
28 review the new jobs training program. The economic development
29 authority shall adopt, amend, and repeal rules under chapter
30 17A that the community college will use in developing projects
31 with new and expanding industrial new jobs training proposals
32 and that the economic development authority shall use to review
33 and report on the new jobs training program as required in this
34 section.

35 Sec. 22. Section 260F.3, subsection 5, Code 2019, is amended

1 to read as follows:

2 5. Other criteria established by the ~~department~~ authority.

3 Sec. 23. Section 260F.6B, Code 2019, is amended to read as
4 follows:

5 **260F.6B High technology apprenticeship program.**

6 The community colleges and the authority are authorized
7 to fund high technology apprenticeship programs which comply
8 with the requirements specified in section 260C.44 and which
9 may include both new and statewide apprenticeship programs.
10 Notwithstanding the provisions of section 260F.6, subsection
11 2, relating to maximum award amounts, moneys allocated to
12 the community colleges with high technology apprenticeship
13 programs shall be distributed to the community colleges based
14 upon contact hours under the programs administered during the
15 prior fiscal year as determined by the ~~department of education~~
16 authority. The authority shall adopt rules governing this
17 section's operation and participant eligibility.

18 Sec. 24. Section 260F.7, Code 2019, is amended to read as
19 follows:

20 **260F.7 Authority to coordinate.**

21 The authority, in consultation with ~~the department of~~
22 ~~education and the department of workforce development~~, shall
23 coordinate the jobs training program. A project shall not be
24 funded under this chapter unless the authority approves the
25 project. The authority shall adopt rules pursuant to chapter
26 17A governing the program's operation and eligibility for
27 participation in the program. The authority shall establish
28 by rule criteria for determining what constitutes an eligible
29 business.

30 Sec. 25. Section 260H.2, subsection 1, Code 2019, is amended
31 to read as follows:

32 1. A pathways for academic career and employment program
33 is established to provide funding to community colleges
34 for the development of projects in coordination with the
35 economic development authority, ~~the department of education,~~

1 the department of workforce development, local workforce
 2 development boards established pursuant to [section 84A.4](#), and
 3 community partners to implement a simplified, streamlined, and
 4 comprehensive process, along with customized support services,
 5 to enable eligible participants to acquire effective academic
 6 and employment training to secure gainful, quality, in-state
 7 employment.

8 Sec. 26. Section 260H.2, subsection 2, paragraph a, Code
 9 2019, is amended to read as follows:

10 a. A pathways for academic career and employment fund
 11 is created for the community colleges in the state treasury
 12 to be administered by the ~~department of education~~ economic
 13 development authority. The moneys in the pathways for academic
 14 career and employment fund are appropriated to the ~~department~~
 15 ~~of education~~ economic development authority for the pathways
 16 for academic career and employment program.

17 Sec. 27. Section 260H.8, Code 2019, is amended to read as
 18 follows:

19 **260H.8 Rules.**

20 The ~~department of education~~ authority, in consultation with
 21 the community colleges, ~~the economic development authority~~,
 22 and the department of workforce development, shall adopt rules
 23 pursuant to [chapter 17A](#) and [this chapter](#) to implement the
 24 provisions of [this chapter](#). Local workforce development boards
 25 established pursuant to [section 84A.4](#) shall be consulted in the
 26 development and implementation of rules to be adopted pursuant
 27 to [this chapter](#).

28 Sec. 28. Section 260I.2, subsection 2, paragraph a, Code
 29 2019, is amended to read as follows:

30 a. There is established for the community colleges
 31 a gap tuition assistance fund in the state treasury to
 32 be administered by the ~~department of education~~ economic
 33 development authority. The funds in the gap tuition assistance
 34 fund are appropriated to the ~~department of education~~ economic
 35 development authority for the gap tuition assistance program.

1 Sec. 29. Section 260I.3, subsection 1, Code 2019, is amended
2 to read as follows:

3 1. ~~The department of education, in consultation with the~~
4 economic development authority, shall adopt rules pursuant to
5 this chapter defining eligibility criteria for persons applying
6 to receive tuition assistance under [this chapter](#).

7 Sec. 30. Section 260I.10, Code 2019, is amended to read as
8 follows:

9 **260I.10 Oversight.**

10 1. ~~The department of education~~ economic development
11 authority, in coordination with the community colleges, shall
12 establish a steering committee. The steering committee shall
13 determine if the performance measures of the gap tuition
14 assistance program are being met and shall take necessary steps
15 to correct any deficiencies. The steering committee shall meet
16 at least quarterly to evaluate and monitor the performance of
17 the gap tuition assistance program.

18 2. ~~The department of education~~ economic development
19 authority, in coordination with the community colleges,
20 shall develop a common intake tracking system that shall be
21 implemented consistently by each participating community
22 college.

23 3. ~~The department of education~~ economic development
24 authority shall coordinate statewide oversight, evaluation, and
25 reporting efforts for the gap tuition assistance program.

26 Sec. 31. Section 260I.11, Code 2019, is amended to read as
27 follows:

28 **260I.11 Rules.**

29 ~~The department of education~~ economic development authority,
30 in consultation with the ~~economic development authority and the~~
31 community colleges, shall adopt rules pursuant to [chapter 17A](#)
32 and [this chapter](#) to implement the provisions of [this chapter](#).

33 Sec. 32. Section 261.1, subsection 2, paragraph b, Code
34 2019, is amended by striking the paragraph.

35 Sec. 33. NEW SECTION. **261.8 Transfer of authority and**

1 **duties.**

2 1. Beginning July 1, 2020, the authority and duties of the
3 department of education, the state board of education, and the
4 director of the department of education under this chapter
5 shall be transferred to the college student aid commission.
6 Accordingly, beginning July 1, 2020, all references to the
7 department of education or the director of the department of
8 education under this chapter and references to the department
9 of education or the director of the department of education
10 under other provisions of law relating to this chapter shall
11 mean the college student aid commission.

12 2. Any moneys remaining in any account or fund under the
13 control of the department of education at the conclusion
14 of the fiscal year beginning July 1, 2019, relative to the
15 provisions of this chapter shall be transferred to the control
16 of the college student aid commission for such purposes.
17 Notwithstanding section 8.33, the moneys transferred in
18 accordance with this subsection shall not revert to the account
19 or fund from which appropriated or transferred.

20 3. Any contract entered into by the department of education
21 relating to the provisions of this chapter in effect at the
22 conclusion of the fiscal year beginning July 1, 2019, shall
23 continue in full force and effect pending transfer of such
24 contracts to the college student aid commission.

25 4. Any rule, regulation, form, order, or directive
26 promulgated by the department of education relative to the
27 provisions of this chapter in existence at the conclusion of
28 the fiscal year beginning July 1, 2019, shall continue in full
29 force and effect until amended, repealed, or supplemented by
30 affirmative action of the college student aid commission under
31 the duties and powers established in this chapter and under the
32 procedure established in subsection 5.

33 5. In regard to updating references and format in the Iowa
34 administrative code in order to correspond to the transferring
35 of duties of this chapter, the administrative rules coordinator

1 and the administrative rules review committee, in consultation
2 with the administrative code editor, shall jointly develop a
3 schedule for the necessary updating of the Iowa administrative
4 code.

5 Sec. 34. NEW SECTION. **261E.1A Transfer of authority and**
6 **duties.**

7 1. Beginning July 1, 2020, the authority and duties of
8 the department of education, the state board of education,
9 and the director of the department of education under this
10 chapter shall be transferred to the state board of regents.
11 Accordingly, beginning July 1, 2020, all references to the
12 department of education, the state board of education, or the
13 director of the department of education under this chapter
14 and references to the department of education, state board of
15 education, or director of the department of education under
16 other provisions of law relating to this chapter shall mean the
17 state board of regents.

18 2. Any moneys remaining in any account or fund under the
19 control of the department of education at the conclusion of the
20 fiscal year beginning July 1, 2019, relative to the provisions
21 of this chapter shall be transferred to the control of the
22 state board of regents for such purposes. Notwithstanding
23 section 8.33, the moneys transferred in accordance with this
24 subsection shall not revert to the account or fund from which
25 appropriated or transferred.

26 3. Any contract entered into by the department of education
27 relating to the provisions of this chapter in effect at the
28 conclusion of the fiscal year beginning July 1, 2019, shall
29 continue in full force and effect pending transfer of such
30 contracts to the state board of regents.

31 4. Any rule, regulation, form, order, or directive
32 promulgated by the department of education relative to the
33 provisions of this chapter in existence at the conclusion of
34 the fiscal year beginning July 1, 2019, shall continue in full
35 force and effect until amended, repealed, or supplemented by

1 affirmative action of the state board of regents under the
2 duties and powers established in this chapter and under the
3 procedure established in subsection 5.

4 5. In regard to updating references and format in the Iowa
5 administrative code in order to correspond to the transferring
6 of duties of this chapter, the administrative rules coordinator
7 and the administrative rules review committee, in consultation
8 with the administrative code editor, shall jointly develop a
9 schedule for the necessary updating of the Iowa administrative
10 code.

11 Sec. 35. Section 262.9, subsection 27, Code 2019, is amended
12 to read as follows:

13 27. ~~Explore, in conjunction with the department~~
14 ~~of education,~~ the need for coordination between school
15 districts, area education agencies, state board of regents
16 institutions, and community colleges for purposes of delivery
17 of courses, use of telecommunications, transportation, and
18 other similar issues. Coordination may include but is not
19 limited to coordination of calendars, programs, schedules, or
20 telecommunications emissions. The state board shall develop
21 recommendations as necessary, which shall be submitted in a
22 report to the general assembly on a timely basis.

23 Sec. 36. Section 262.9, subsection 33, unnumbered paragraph
24 1, Code 2019, is amended to read as follows:

25 ~~In consultation with the state board of education, establish~~
26 Establish and enter into a collective statewide articulation
27 agreement with the community colleges established pursuant to
28 chapter 260C, which shall provide for the seamless transfer
29 of academic credits from a completed associate of arts or
30 associate of science degree program offered by a community
31 college to a baccalaureate degree program offered by an
32 institution of higher education governed by the board. The
33 board shall also do the following:

34 Sec. 37. Section 262.9, subsection 33, paragraph i, Code
35 2019, is amended to read as follows:

1 *i.* Prepare, jointly with ~~the department of education and~~
 2 the liaison advisory committee on transfer students, and submit
 3 by January 15 annually to the general assembly, an update on
 4 the articulation efforts and activities implemented by the
 5 community colleges and the institutions of higher education
 6 governed by the board.

7 Sec. 38. Section 262.71, subsection 9, Code 2019, is amended
 8 by striking the subsection.

9 Sec. 39. Section 272.1, subsection 4, Code 2019, is amended
 10 by striking the subsection.

11 Sec. 40. NEW SECTION. **272.1A Transfer of authority and**
 12 **duties.**

13 1. Beginning July 1, 2020, the authority and duties of the
 14 department of education, the state board of education, and the
 15 director of the department of education under this chapter
 16 shall be transferred to the board of educational examiners.
 17 Accordingly, beginning July 1, 2020, all references to the
 18 department of education, the state board of education, or the
 19 director of the department of education under this chapter
 20 and references to the department of education, state board of
 21 education, or director of the department of education under
 22 other provisions of law relating to this chapter shall mean the
 23 board of educational examiners.

24 2. Any moneys remaining in any account or fund under the
 25 control of the department of education at the conclusion
 26 of the fiscal year beginning July 1, 2019, relative to the
 27 provisions of this chapter shall be transferred to the control
 28 of the board of educational examiners for such purposes.
 29 Notwithstanding section 8.33, the moneys transferred in
 30 accordance with this subsection shall not revert to the account
 31 or fund from which appropriated or transferred.

32 3. Any contract entered into by the department of education
 33 relating to the provisions of this chapter in effect at the
 34 conclusion of the fiscal year beginning July 1, 2019, shall
 35 continue in full force and effect pending transfer of such

1 contracts to the board of educational examiners.

2 Sec. 41. Section 272.3, subsection 1, unnumbered paragraph
3 1, Code 2019, is amended to read as follows:

4 The board of educational examiners consists of twelve
5 members. Two must be members of the general public, ~~one~~
6 ~~must be the director of the department of education or the~~
7 ~~director's designee,~~ and the remaining ~~nine~~ ten members must be
8 licensed practitioners. One of the public members shall have
9 served on a school board. The public members shall never have
10 held a practitioner's license, but shall have a demonstrated
11 interest in education. The ~~nine~~ ten practitioners shall be
12 selected from the following areas and specialties of the
13 teaching profession:

14 Sec. 42. Section 272.3, subsection 2, Code 2019, is amended
15 to read as follows:

16 2. A majority of the licensed practitioner members shall
17 be nonadministrative practitioners. Four of the members shall
18 be administrators. Membership of the board shall comply with
19 the requirements of [sections 69.16](#) and [69.16A](#). A quorum of the
20 board shall consist of six members. Members shall elect a
21 chairperson of the board. Members, ~~except for the director of~~
22 ~~the department of education or the director's designee,~~ shall
23 be appointed by the governor subject to confirmation by the
24 senate.

25 Sec. 43. Section 272.4, subsection 1, unnumbered paragraph
26 1, Code 2019, is amended to read as follows:

27 Members, ~~except for the director of the department of~~
28 ~~education or the director's designee,~~ shall be appointed to
29 serve staggered terms of four years. A member shall not serve
30 more than two consecutive terms, ~~except for the director of the~~
31 ~~department of education or the director's designee, who shall~~
32 ~~serve until the director's term of office expires.~~ A member of
33 the board, except for the two public members and the director
34 of the department of education or the director's designee,
35 shall hold a valid practitioner's license during the member's

1 term of office. A vacancy exists when any of the following
2 occur:

3 Sec. 44. NEW SECTION. **273.1A Transfer of authority and**
4 **duties.**

5 1. Beginning July 1, 2020, the authority and duties of
6 the department of education, the state board of education,
7 and the director of the department of education under this
8 chapter shall, to the extent feasible, be transferred to the
9 area education agency boards of directors in this state.
10 Accordingly, beginning July 1, 2020, all references to the
11 department of education, the state board of education, and the
12 director of the department of education under this chapter and
13 references to the department of education, the state board of
14 education, and the director of the department of education
15 under other provisions of law relating to this chapter shall
16 mean the applicable area education agency board of directors.

17 2. Any rule, regulation, form, order, or directive
18 promulgated by the department of education relative to the
19 provisions of this chapter in existence at the conclusion of
20 the fiscal year beginning July 1, 2019, shall continue in full
21 force and effect.

22 Sec. 45. Section 273.2, subsection 5, unnumbered paragraph
23 1, Code 2019, is amended to read as follows:

24 The area education agency board may provide for the
25 following programs and services to local school districts, ~~and~~
26 ~~at the request of local school districts to providers of child~~
27 ~~development services who have received grants under chapter~~
28 ~~256A from the child development coordinating council,~~ within
29 the limits of funds available:

30 Sec. 46. NEW SECTION. **274.1A Transfer of authority and**
31 **duties.**

32 1. Beginning July 1, 2020, the authority and duties of the
33 department of education and the director of the department of
34 education under this chapter shall, to the extent feasible, be
35 transferred to the area education agency boards of directors

1 in this state. Accordingly, beginning July 1, 2020, all
2 references to the department of education and the director of
3 the department of education under this chapter and references
4 to the department of education and the director of the
5 department of education under other provisions of law relating
6 to this chapter shall mean the applicable area education agency
7 board of directors.

8 2. Any rule, regulation, form, order, or directive
9 promulgated by the department of education or the director
10 of the department of education relative to the provisions of
11 this chapter in existence at the conclusion of the fiscal
12 year beginning July 1, 2019, shall continue in full force and
13 effect.

14 Sec. 47. NEW SECTION. **275.1A Transfer of authority and**
15 **duties.**

16 1. Beginning July 1, 2020, the authority and duties of
17 the department of education, the state board of education,
18 and the director of the department of education under this
19 chapter shall, to the extent feasible, be transferred to the
20 area education agency boards of directors in this state.
21 Accordingly, beginning July 1, 2020, all references to the
22 department of education, the state board of education, and the
23 director of the department of education under this chapter and
24 references to the department of education, the state board of
25 education, and the director of the department of education
26 under other provisions of law relating to this chapter shall
27 mean the applicable area education agency board of directors.

28 2. Any rule, regulation, form, order, or directive
29 promulgated by the department of education, the state board
30 of education, or the director of the department of education
31 relative to the provisions of this chapter in existence at the
32 conclusion of the fiscal year beginning July 1, 2019, shall
33 continue in full force and effect.

34 Sec. 48. Section 276.3, subsections 5 and 9, Code 2019, are
35 amended by striking the subsections.

1 Sec. 49. Section 279.51, subsection 1, unnumbered paragraph
2 1, Code 2019, is amended to read as follows:

3 There is appropriated from the general fund of the state
4 to the department of ~~education~~ management for the fiscal year
5 beginning July 1, 2007, and each succeeding fiscal year, the
6 sum of twelve million six hundred six thousand one hundred
7 ninety-six dollars. The moneys shall be allocated as follows:

8 Sec. 50. Section 279.51, subsection 1, paragraphs b and d,
9 Code 2019, are amended by striking the paragraphs.

10 Sec. 51. Section 279.51, subsection 2, Code 2019, is amended
11 by striking the subsection.

12 Sec. 52. NEW SECTION. **279.72 Transfer of authority and**
13 **duties.**

14 1. Beginning July 1, 2020, the authority and duties of
15 the department of education, the state board of education,
16 and the director of the department of education under this
17 chapter, to the extent feasible, shall be transferred to the
18 boards of directors for the respective school districts in the
19 state. Accordingly, beginning July 1, 2020, all references to
20 the department of education, the state board of education, and
21 the director of the department of education under this chapter
22 and references to the department of education, the state board
23 of education, and the director of the department of education
24 under other provisions of law relating to this chapter shall
25 mean the applicable board of directors of the school district.

26 2. Any rule, regulation, form, order, or directive
27 promulgated by the department of education, the state board
28 of education, or the director of the department of education
29 relative to the provisions of this chapter in existence at the
30 conclusion of the fiscal year beginning July 1, 2019, shall
31 continue in full force and effect.

32 Sec. 53. NEW SECTION. **280.1A Transfer of authority and**
33 **duties.**

34 1. Beginning July 1, 2020, the authority and duties of
35 the department of education, the state board of education,

1 and the director of the department of education under this
2 chapter, to the extent feasible, shall be transferred to the
3 boards of directors for the respective school districts in the
4 state. Accordingly, beginning July 1, 2020, all references to
5 the department of education, the state board of education, and
6 the director of the department of education under this chapter
7 and references to the department of education, the state board
8 of education, and the director of the department of education
9 under other provisions of law relating to this chapter shall
10 mean the applicable board of directors of the school district.

11 2. Any rule, regulation, form, order, or directive
12 promulgated by the department of education, the state board
13 of education, or the director of the department of education
14 relative to the provisions of this chapter in existence at the
15 conclusion of the fiscal year beginning July 1, 2019, shall
16 continue in full force and effect.

17 Sec. 54. NEW SECTION. **282.1A Transfer of authority and**
18 **duties.**

19 1. Beginning July 1, 2020, the authority and duties of
20 the department of education, the state board of education,
21 and the director of the department of education under this
22 chapter, to the extent feasible, shall be transferred to the
23 boards of directors for the respective school districts in the
24 state. Accordingly, beginning July 1, 2020, all references to
25 the department of education, the state board of education, and
26 the director of the department of education under this chapter
27 and references to the department of education, the state board
28 of education, and the director of the department of education
29 under other provisions of law relating to this chapter shall
30 mean the applicable board of directors of the school district.

31 2. Any rule, regulation, form, order, or directive
32 promulgated by the department of education, the state board
33 of education, or the director of the department of education
34 relative to the provisions of this chapter in existence at the
35 conclusion of the fiscal year beginning July 1, 2019, shall

1 continue in full force and effect.

2 Sec. 55. Section 282.18, subsections 5 and 14, Code 2019,
3 are amended to read as follows:

4 5. Open enrollment applications filed after March 1
5 of the preceding school year that do not qualify for good
6 cause as provided in subsection 4 shall be subject to the
7 approval of the board of the resident district and the board
8 of the receiving district. The parent or guardian shall send
9 notification to the district of residence and the receiving
10 district that the parent or guardian seeks to enroll the
11 parent's or guardian's child in the receiving district. A
12 ~~decision of either board to deny an application filed under~~
13 ~~this subsection involving repeated acts of harassment of the~~
14 ~~student or serious health condition of the student that the~~
15 ~~resident district cannot adequately address is subject to~~
16 ~~appeal under section 290.1. The state board shall exercise~~
17 ~~broad discretion to achieve just and equitable results that are~~
18 ~~in the best interest of the affected child or children.~~

19 14. If a request under this section is for transfer to a
20 laboratory school, as described in chapter 265, the student,
21 who is the subject of the request, shall not be included in
22 the basic enrollment of the student's district of residence,
23 and the laboratory school shall report the enrollment of the
24 student directly to the department of education management,
25 unless the number of students from the district attending the
26 laboratory school during the current school year, as a result
27 of open enrollment under this section, exceeds the number of
28 students enrolled in the laboratory school from that district
29 during the 1989-1990 school year. If the number of students
30 enrolled in the laboratory school from a district during the
31 current year exceeds the number of students enrolled from that
32 district during the 1989-1990 school year, those students who
33 represent the difference between the current and the 1988-1989
34 school year enrollment figures shall be included in the basic
35 enrollment of the students' districts of residence and the

1 districts shall retain any moneys received as a result of the
 2 inclusion of the student in the district enrollment. The total
 3 number of students enrolled at a laboratory school during a
 4 school year shall not exceed six hundred seventy students. The
 5 regents institution operating the laboratory school and the
 6 board of directors of the school district in the community
 7 in which the regents institution is located shall develop
 8 a student transfer policy designed to protect and promote
 9 the quality and integrity of the teacher education program
 10 at the laboratory school, the viability of the education
 11 program of the local school district in which the regents
 12 institution is located, and to indicate the order in which and
 13 reasons why requests to transfer to a laboratory school shall
 14 be considered. A laboratory school may deny a request for
 15 transfer under the policy. ~~A denial of a request to transfer~~
 16 ~~under this subsection is not subject to appeal under section~~
 17 ~~290.1.~~

18 Sec. 56. Section 282.18, subsection 16, Code 2019, is
 19 amended by striking the subsection.

20 Sec. 57. Section 283.1, Code 2019, is amended to read as
 21 follows:

22 **283.1 Federal funds accepted.**

23 The director of the department of ~~education~~ management
 24 is the "*state educational authority*" for the purpose of
 25 accepting and administering funds appropriated by Congress for
 26 educational purposes and the funds shall be deposited with the
 27 treasurer of state and disbursed through the department of
 28 administrative services on vouchers audited as provided by law.
 29 When state matching funds are required as a condition to the
 30 acceptance of federal funds, the director of the department
 31 of ~~education~~ management may make expenditures for matching
 32 only from funds provided by the legislature for that purpose.
 33 However, when federal funds may be matched with expenditures
 34 from funds appropriated for the general operation of the
 35 department of ~~education~~ management, this may be done with the

1 approval of the legislative council.

2 Sec. 58. NEW SECTION. **283A.1A Transfer of authority and**
3 **duties.**

4 1. Beginning July 1, 2020, the authority and duties of
5 the department of education, the state board of education,
6 and the director of the department of education under this
7 chapter, to the extent feasible, shall be transferred to the
8 boards of directors for the respective school districts in the
9 state. Accordingly, beginning July 1, 2020, all references to
10 the department of education, the state board of education, and
11 the director of the department of education under this chapter
12 and references to the department of education, the state board
13 of education, and the director of the department of education
14 under other provisions of law relating to this chapter shall
15 mean the applicable board of directors of the school district.

16 2. Any rule, regulation, form, order, or directive
17 promulgated by the department of education, the state board
18 of education, or the director of the department of education
19 relative to the provisions of this chapter in existence at the
20 conclusion of the fiscal year beginning July 1, 2019, shall
21 continue in full force and effect.

22 Sec. 59. Section 283A.3, Code 2019, is amended to read as
23 follows:

24 **283A.3 Expenditure of federal funds.**

25 The director of the department of ~~education~~ management shall
26 accept and direct the disbursement of funds appropriated by any
27 Act of Congress and appropriated to the state of Iowa for use
28 in connection with school breakfast or lunch programs. The
29 director shall deposit the funds with the treasurer of the
30 state of Iowa, who shall make disbursements upon the direction
31 of the director.

32 Sec. 60. NEW SECTION. **284.1A Transfer of authority and**
33 **duties.**

34 1. Beginning July 1, 2020, the authority and duties of
35 the department of education, the state board of education,

1 and the director of the department of education under this
 2 chapter, to the extent feasible, shall be transferred to the
 3 boards of directors for the respective school districts in the
 4 state. Accordingly, beginning July 1, 2020, all references to
 5 the department of education, the state board of education, and
 6 the director of the department of education under this chapter
 7 and references to the department of education, the state board
 8 of education, and the director of the department of education
 9 under other provisions of law relating to this chapter shall
 10 mean the applicable board of directors of the school district.

11 2. Any rule, regulation, form, order, or directive
 12 promulgated by the department of education, the state board
 13 of education, or the director of the department of education
 14 relative to the provisions of this chapter in existence at the
 15 conclusion of the fiscal year beginning July 1, 2019, shall
 16 continue in full force and effect.

17 Sec. 61. NEW SECTION. **284A.1A Transfer of authority and**
 18 **duties.**

19 1. Beginning July 1, 2020, the authority and duties of
 20 the department of education, the state board of education,
 21 and the director of the department of education under this
 22 chapter, to the extent feasible, shall be transferred to the
 23 boards of directors for the respective school districts in the
 24 state. Accordingly, beginning July 1, 2020, all references to
 25 the department of education, the state board of education, and
 26 the director of the department of education under this chapter
 27 and references to the department of education, the state board
 28 of education, and the director of the department of education
 29 under other provisions of law relating to this chapter shall
 30 mean the applicable board of directors of the school district.

31 2. Any rule, regulation, form, order, or directive
 32 promulgated by the department of education, the state board
 33 of education, or the director of the department of education
 34 relative to the provisions of this chapter in existence at the
 35 conclusion of the fiscal year beginning July 1, 2019, shall

1 continue in full force and effect.

2 Sec. 62. NEW SECTION. **285.7 Transfer of authority and**
3 **duties.**

4 1. Beginning July 1, 2020, the authority and duties of
5 the department of education, the state board of education,
6 and the director of the department of education under this
7 chapter, to the extent feasible, shall be transferred to the
8 boards of directors for the respective school districts in the
9 state. Accordingly, beginning July 1, 2020, all references to
10 the department of education, the state board of education, and
11 the director of the department of education under this chapter
12 and references to the department of education, the state board
13 of education, and the director of the department of education
14 under other provisions of law relating to this chapter shall
15 mean the applicable board of directors of the school district.

16 2. Any rule, regulation, form, order, or directive
17 promulgated by the department of education, the state board
18 of education, or the director of the department of education
19 relative to the provisions of this chapter in existence at the
20 conclusion of the fiscal year beginning July 1, 2019, shall
21 continue in full force and effect.

22 Sec. 63. Section 291.11, Code 2019, is amended to read as
23 follows:

24 **291.11 Officers reported.**

25 The secretary shall report to the director of the department
26 of ~~education~~ management, the county auditor, and county
27 treasurer the name and post office address of the president,
28 treasurer and secretary of the board as soon as practicable
29 after the qualification of each.

30 Sec. 64. NEW SECTION. **292.1A Transfer of authority and**
31 **duties.**

32 1. Beginning July 1, 2020, the authority and duties of the
33 department of education under this chapter shall be transferred
34 to the department of revenue. Accordingly, beginning July 1,
35 2020, all references to the department of education under this

1 chapter and references to the department of education under
2 other provisions of law relating to this chapter shall mean the
3 department of revenue.

4 2. Any moneys remaining in any account or fund under the
5 control of the department of education at the conclusion of the
6 fiscal year beginning July 1, 2019, relative to the provisions
7 of this chapter shall be transferred to the control of the
8 department of revenue for such purposes. Notwithstanding
9 section 8.33, the moneys transferred in accordance with this
10 subsection shall not revert to the account or fund from which
11 appropriated or transferred.

12 3. Any contract entered into by the department of education
13 relating to the provisions of this chapter in effect at the
14 conclusion of the fiscal year beginning July 1, 2019, shall
15 continue in full force and effect pending transfer of such
16 contracts to the department of revenue.

17 4. Any rule, regulation, form, order, or directive
18 promulgated by the department of education relative to the
19 provisions of this chapter in existence at the conclusion of
20 the fiscal year beginning July 1, 2019, shall continue in full
21 force and effect until amended, repealed, or supplemented by
22 affirmative action of the department of revenue under the
23 duties and powers established in this chapter and under the
24 procedure established in subsection 5.

25 5. In regard to updating references and format in the Iowa
26 administrative code in order to correspond to the transferring
27 of duties of this chapter, the administrative rules coordinator
28 and the administrative rules review committee, in consultation
29 with the administrative code editor, shall jointly develop a
30 schedule for the necessary updating of the Iowa administrative
31 code.

32 Sec. 65. Section 294.5, Code 2019, is amended to read as
33 follows:

34 **294.5 Reports.**

35 The teacher shall file with the school superintendent and

1 ~~the director of the department of education~~ such reports and in
2 such manner as may be required.

3 Sec. 66. Section 296.3, Code 2019, is amended to read as
4 follows:

5 **296.3 Election called.**

6 Within ten days of receipt of a petition filed under section
7 296.2, the president of the board of directors shall call a
8 meeting of the board. The meeting shall be held within thirty
9 days after the petition was received. At the meeting, the
10 board shall call the election, fixing the time of the election,
11 which may be at the time and place of holding the regular
12 school election. However, if the board determines by unanimous
13 vote that the proposition or propositions requested by a
14 petition to be submitted at an election are grossly unrealistic
15 or contrary to the needs of the school district, no election
16 shall be called. If more than one petition has been received
17 by the time the board meets to consider the petition triggering
18 the meeting, the board shall act upon the petitions in the
19 order they were received at the meeting called to consider the
20 initial petition. ~~The decision of the board may be appealed to~~
21 ~~the state board of education as provided in chapter 290.~~ The
22 president shall notify the county commissioner of elections of
23 the time of the election.

24 Sec. 67. NEW SECTION. **297.37 Transfer of authority and**
25 **duties.**

26 1. Beginning July 1, 2020, the authority and duties of the
27 department of education and the director of the department
28 of education under this chapter shall be transferred to the
29 department of administrative services and the director of the
30 department of administrative services. Accordingly, beginning
31 July 1, 2020, all references to the department of education
32 and the director of the department of education under this
33 chapter and references to the department of education and the
34 director of the department of education under other provisions
35 of law relating to this chapter shall mean the department of

1 administrative services or the director of the department of
2 administrative services.

3 2. Any rule, regulation, form, order, or directive
4 promulgated by the department of education or the director
5 of the department of education relative to the provisions of
6 this chapter in existence at the conclusion of the fiscal
7 year beginning July 1, 2019, shall continue in full force and
8 effect.

9 Sec. 68. NEW SECTION. **299.25 Transfer of authority and**
10 **duties.**

11 1. Beginning July 1, 2020, the authority and duties of
12 the department of education, the state board of education,
13 and the director of the department of education under this
14 chapter, to the extent feasible, shall be transferred to the
15 boards of directors for the respective school districts in the
16 state. Accordingly, beginning July 1, 2020, all references to
17 the department of education, the state board of education, and
18 the director of the department of education under this chapter
19 and references to the department of education, the state board
20 of education, and the director of the department of education
21 under other provisions of law relating to this chapter shall
22 mean the applicable board of directors of the school district.

23 2. Any rule, regulation, form, order, or directive
24 promulgated by the department of education, the state board
25 of education, or the director of the department of education
26 relative to the provisions of this chapter in existence at the
27 conclusion of the fiscal year beginning July 1, 2019, shall
28 continue in full force and effect.

29 Sec. 69. NEW SECTION. **299A.1A Transfer of authority and**
30 **duties.**

31 1. Beginning July 1, 2020, the authority and duties of
32 the department of education, the state board of education,
33 and the director of the department of education under this
34 chapter, to the extent feasible, shall be transferred to the
35 boards of directors for the respective school districts in the

1 state. Accordingly, beginning July 1, 2020, all references to
 2 the department of education, the state board of education, and
 3 the director of the department of education under this chapter
 4 and references to the department of education, the state board
 5 of education, and the director of the department of education
 6 under other provisions of law relating to this chapter shall
 7 mean the applicable board of directors of the school district.

8 2. Any rule, regulation, form, order, or directive
 9 promulgated by the department of education, the state board
 10 of education, or the director of the department of education
 11 relative to the provisions of this chapter in existence at the
 12 conclusion of the fiscal year beginning July 1, 2019, shall
 13 continue in full force and effect.

14 Sec. 70. NEW SECTION. 301.1A **Transfer of authority and**
 15 **duties.**

16 1. Beginning July 1, 2020, the authority and duties of
 17 the department of education, the state board of education,
 18 and the director of the department of education under this
 19 chapter, to the extent feasible, shall be transferred to the
 20 boards of directors for the respective school districts in the
 21 state. Accordingly, beginning July 1, 2020, all references to
 22 the department of education, the state board of education, and
 23 the director of the department of education under this chapter
 24 and references to the department of education, the state board
 25 of education, and the director of the department of education
 26 under other provisions of law relating to this chapter shall
 27 mean the applicable board of directors of the school district.

28 2. Any rule, regulation, form, order, or directive
 29 promulgated by the department of education, the state board
 30 of education, or the director of the department of education
 31 relative to the provisions of this chapter in existence at the
 32 conclusion of the fiscal year beginning July 1, 2019, shall
 33 continue in full force and effect.

34 Sec. 71. **REPEAL.** Sections 260C.6, 276.4, and 291.10, Code
 35 2019, are repealed.

1 Sec. 72. REPEAL. Chapters 256, 256A, 256G, and 290, Code
2 2019, are repealed.

3 Sec. 73. EFFECTIVE DATE. This division of this Act takes
4 effect July 1, 2020.

5 DIVISION II

6 CORRESPONDING AMENDMENTS LEGISLATION

7 Sec. 74. CORRESPONDING AMENDMENTS LEGISLATION. Additional
8 legislation is required to fully implement division I of this
9 Act. The director of the department of education shall, in
10 compliance with section 2.16, prepare draft legislation for
11 submission to the legislative services agency, as necessary,
12 to implement the transition and elimination of authority and
13 duties under division I of this Act and to implement the
14 transition and elimination of authority and duties under other
15 provisions of law including but not limited to the duties and
16 authority of the department of education, the state board of
17 education, the director of the department of education, and any
18 division, commission, or subunit of such entities or offices
19 under chapters 7A, 7E, 8A, 8B, 8D, 8F, 11, 12, 15, 15H, 16, 19B,
20 22, 48A, 68B, 73, 80E, 84A, 85, 96, 99B, 125, 135, 139A, 141A,
21 142A, 154B, 154F, 161A, 190A, 216A, 218, 225C, 232, 234, 237,
22 237A, 237C, 239B, 241, 249A, 257, 259A, 261B, 298A, 321, 321J,
23 322, 350, 423E, 423F, 455A, 455E, 473, 514I, 714, and 904.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill relates to education by modifying the duties and
28 authority of certain state and local governmental entities.

29 Division I of the bill repeals Code chapter 256, which
30 establishes the department of education, establishes the office
31 of the director of the department of education, establishes
32 the state board of education, specifies certain educational
33 standards, establishes various education programs, establishes
34 certain councils and entities within the department of
35 education, includes provisions relating to the participation in

1 extracurricular activities, establishes the division of library
2 services, includes the library compact, and establishes the
3 public broadcasting division.

4 Division I of the bill also amends and repeals other chapters
5 of the Code relating to education to transition the duties and
6 authority of the department of education, the director of the
7 department of education, and the state board of education to
8 other specified local and state governmental entities beginning
9 July 1, 2020.

10 Division I of the bill takes effect July 1, 2020.

11 Division II of the bill provides that additional legislation
12 is required to fully implement Division I of the bill and
13 requires the director of the department of education to
14 prepare draft legislation for submission to the legislative
15 services agency, as necessary, to implement the transition
16 and elimination of authority and duties under Division I of
17 the bill and to implement the transition and elimination of
18 authority and duties under other provisions of law including
19 but not limited to the duties and authority of the department
20 of education, the state board of education, the director of
21 the department of education, and any division, commission,
22 or subunit of such entities or offices under specified Code
23 chapters.